





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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April 27, 2016

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *KDR BH*  
Kristin D. Roser/Ben Holly  
Reports Analysis Division  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2016 12 Day Pre-Primary  
Report (Illinois) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to timely file the 2016 12 Day Pre-Primary Report for the Illinois Primary Election in accordance with 52 U.S.C. § 30104(a). The 12 Day Pre-Primary Report was due on March 3, 2016 and the Primary Election was held on March 15, 2016.

The committees listed on the attached RTB Circulation Report failed to file the election sensitive report by the required due date. Election sensitive reports filed more than four days prior to the election are considered late, and reports not filed more than four days prior to the election are considered not filed. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, the committees should be assessed the civil money penalty highlighted on the attached circulation report.

### **Recommendation**

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the RTB Circulation Report.
2. Send the appropriate letter.

13-00000-01

**Federal Election Commission  
Reason to Believe Circulation Report  
2016 PRE-PRIMARY Election Sensitive 03/03/2016 AUTH (IL)**

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3054	C00586065	STELLA FOR CONGRESS	DOMINICK J. STELLA	EDWARD LOUIS ANTOGNOLI	\$247,810	0	3/25/2016	Not Filed	\$106,091	\$5,500
3055	C00581454	THOMAS DAY FOR CONGRESS	THOMAS DAY	BRANDON THOMAS BODOR	\$124,188	0	3/14/2016	Not Filed	\$28,154	\$1,400

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 3054  
Reason To Believe Recommendation - )  
2016 12 Day Pre-Primary Report )  
(Illinois) for the Administrative Fine )  
Program )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 29, 2016, the Commission decided by a vote of 6-0 to take the following actions in AF 3054:

1. Find reason to believe that Stella for Congress and Edward Louis Antognoli in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be in the amount of \$5,500.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 29, 2016  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

Edward Louis Antognoli, in official capacity as Treasurer  
Stella for Congress  
7129 Walden Lane  
Darien, IL 60461

C00586065  
AF#: 3054

Dear Mr. Antognoli:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-Primary Report of Receipts and Disbursements in any calendar year during which there is a regularly scheduled election for which the candidate is seeking election or nomination for election. This report, covering the period January 1, 2016 through February 24, 2016, shall be filed no later than March 3, 2016. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report prior to four (4) days before the election, the report is considered not filed for the purpose of calculating the civil money penalty.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109g(a)(4). On April 29, 2016, the FEC found that there is reason to believe ("RTB") that Stella for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before March 3, 2016. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$5,500. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$5,500 is due within forty (40) days of the finding, or by June 08, 2016, and is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$106,091

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the Primary Election held on March 15, 2016 are considered not filed for the purpose of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

### **1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or June 08, 2016. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

### **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Stella for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection

Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within 30 days of receipt of this letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

**4. Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

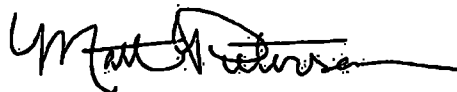
**5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen  
Chair



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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$5,500 for the 2016 Pre-Primary Report. The payment is due within 30 days of receipt of this letter.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
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FOR: Stella for Congress

FEC ID#: C00586065

AF#: 3054

PAYMENT DUE DATE: June 08, 2016

PAYMENT AMOUNT DUE: \$5,500



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2016 SEP 13 AM 8:52

**SENSITIVE**

September 13, 2016

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *KDR BH*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the  
2016 12 Day Pre-Primary Report (Illinois)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2016 12 Day Pre-Primary Report. The first list represents a committee that paid the civil money penalty and the second list represents a committee that has not paid the civil money penalty. The committee that has not paid has been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

In addition, Thomas Day for Congress (AF 3055) made only a partial payment of the civil money penalty assessed at the RTB stage. As such, the civil money penalty is listed as not paid.

### **RAD Recommendation**

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

# CONCLUSION

Federal Election Commission  
FD Circulation Report Fine Paid  
2016 PRE-PRIMARY Election Sensitive 03/03/2016 AUTH (IL)

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTS Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
3054	STELLA FOR CONGRESS	DOMINICK J. STELLA	C00566065	EDWARD LOUIS ANTOGNOLI	03/25/2016	Not Filed	\$106,091	0	04/29/2016	\$5,500	\$5,500	05/31/2016	\$5,500

Federal Election Commission  
FD Circulation Report Fine Not Paid  
2016 PRE-PRIMARY Election Sensitive 03/03/2016 AUTH (IL)

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
3055	THOMAS DAY FOR CONGRESS	THOMAS DAY	C00581454	BRANDON THOMAS BODOR	03/14/2016	Not Filed	\$28,154	0	04/29/2016	\$1,400	136	\$1,400

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Administrative Fine Program – Final )  
Determination Recommendation for the )  
2016 12 Day Pre-Primary Report (Illinois): )  
STELLA FOR CONGRESS, and ) AF# 3054  
ANTOGNOLI, EDWARD LOUIS MR. as )  
treasurer; )  
THOMAS DAY FOR CONGRESS, and ) AF# 3055  
BRANDON THOMAS BODOR as )  
treasurer; )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 21, 2016 the Commission took the following actions on the Administrative Fine Program – Final Determination Recommendation for the 2016 12 Day Pre-Primary Report (Illinois) as recommended in the Reports Analysis Division's Memorandum dated September 13, 2016, on the following committees:

AF#3054 Decided by a vote of 6-0 to: (1) make a final determination that STELLA FOR CONGRESS, and ANTOGNOLI, EDWARD LOUIS MR. in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission  
Certification for Administrative Fines  
September 21, 2016

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AF#3055 Decided by a vote of 6-0 to: (1) make a final determination that THOMAS DAY FOR CONGRESS, and BRANDON THOMAS BODOR in his official capacity as treasurer, violated 52 U.S.C. 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

September 21, 2016  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 22, 2016

Edward Louis Antognoli, in official capacity as Treasurer  
Stella for Congress  
7129 Walden Lane  
Darien, IL 60461

C00586065  
AF#: 3054

Dear Mr. Antognoli:

On April 29, 2016, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Stella for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2016 Pre-Primary Report. By letter dated May 2, 2016, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage totaling \$5,500 in accordance with the schedule of penalties at 11 CFR § 111.43.

On May 31, 2016, the FEC received payment of the civil money penalty calculated at the RTB stage. The FEC made a final determination on September 21, 2016 that Stella for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a), assessed a civil money penalty in the amount of \$5,500 in accordance with 11 CFR § 111.43, and voted to close the file.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding this matter, please contact Ben Holly on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Matthew S. Petersen", written over a horizontal line.

Matthew S. Petersen  
Chair



**Agency: FEC Application: Administrative Fine Program Electronic Payment System**

**Transaction Information**

Pay.gov Tracking ID:	Collection Status:	Settled
Agency Tracking ID:	Effective Date:	05/31/2016
Account Holder	Deposit Ticket:	005901
Transaction Date	Debit Voucher:	
Transaction Amount:	Return Reason Code:	
Frequency:	ACH Type:	Debit
Payment:	SEC Code:	CCD
Email Address:	Batch Pay.gov Tracking	Public
Account Type:	Username:	
Bank Account:		
Routing Number:		

**Custom Collection Fields**

AF#	3054
Committee Name	Stella for Congress
FEC ID	

1916-10-60